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CLERK US DISTRICT COURT DISTRICT OF NEVADA

BY:

## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

2:19-CR-295-GMN-NJK

Final Order of Forfeiture

V.

ANDREA BURROW,

Defendant.

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p) based upon the plea of guilty by Andrea Burrow to the criminal offense, forfeiting the property and imposing an in personam criminal forfeiture money judgment set forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which Andrea Burrow pled guilty. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 99; Change of Plea, ECF No. 127; Plea Agreement; ECF No. 128; Preliminary Order of Forfeiture, ECF No. 129.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

The in personam criminal forfeiture money judgment amount of \$272,000 complies with *Honeycutt v. United States*, 137 S. Ct. 1626 (2017).

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This Court finds the United States published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from August 19, 2020, through September 17, 2020, notifying all potential third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 143-1, p. 5-7.

On September 21, 2020, the United States Marshals Service attempted to personally serve Ashley Burrow with copies of the Preliminary Order of Forfeiture and the Notice. She was not at the address provided. Notice of Filing Service of Process – Personal Service, ECF No. 144.

On October 6, 2020, the United States Marshals Service personally served Ashley Burrow with copies of the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process – Personal Service, ECF No. 146.

On October 6, 2020, the United States Marshals Service attempted to personally serve Marvel Warren with copies of the Preliminary Order of Forfeiture and the Notice.

Notice of Filing Service of Process – Personal Service, ECF No. 147.

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the property named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all possessory rights, ownership rights, and all rights, titles, and interests in the property hereinafter described are condemned, forfeited, and vested in the United States:

- \$180,610 in United States currency seized from defendant's safety deposit box at Bank of America on February 21, 2018; and
- \$57,111 in United States currency seized from defendant's residence at 8236
   Sierra Cascade Court, Las Vegas, NV 89117, on February 21, 2018
   (all of which constitutes property):

and that the United States recover from Andrea Burrow the in personam criminal forfeiture money judgment of \$272,000, not to be held jointly and severally liable with any codefendants, the collected money judgment amount between the codefendants is not to exceed \$9,000,000, and that the property will be applied toward the payment of the money judgment; and

the forfeiture of the money judgment and the property is imposed pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(p); and 21 U.S.C. § 853(n)(7); that the money judgment shall be collected; and that the property and the collected amount shall be disposed of according to law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the government's management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office, Attention Asset Forfeiture Unit.

Dated: <u>January 13</u>, 2021

GLORIA M. NAVARRO UNITED STATES DISTRICT JUDGE